

been successful in school. They have participated in community activities. They are ready to be part of America's future, I can tell.

One young woman got up there and told the story of how she came to California with her parents under similar circumstances. She now is completing her Ph.D. in biochemistry at Cornell University. She wants to go into cancer research. Is America better if we force her to leave this country at this point? She doesn't think so. She thinks she can make this a better nation and better world if she can stay in America.

The folks who are so dead set against immigration ought to just pause for a moment and meet the people we are talking about, the people who are coming into this country, taking the jobs which Americans don't want to take, doing things which Americans aspire to but don't achieve, and many other aspects of our life that are really enriched by their presence.

So I would urge my colleagues to support us in this bipartisan effort for this bill. But I would also urge them to step back and make it clear, the "replacement theory" is an insane approach to America. It ignores our history; it ignores our future; and it ignores the reality of our economy today.

#### E-CIGARETTES

Mr. President, my family, like many families in America, has been touched by tobacco-related disease and death. My father died of lung cancer when I was 14 years old—he was 53. Two packs of Camels a day, he got lung cancer and died at that age. I still remember it to this day, even though it happened over 60 years ago. I am not alone in that. There are so many families that can tell that story, sadly.

And because of it, I have really focused on stopping Big Tobacco from addicting more and more Americans and sentencing them to death, in many instances, because of their deadly products.

Over the years, I have had some success. It was over 25 years ago that I banned smoking on airplanes. Senator Frank Lautenberg picked up the bill over here on the Senate side, carried it successfully, and it was signed into law.

It changed—we didn't realize it at the time, it just changed America's attitude toward smoking. It was, indeed, a tipping point. But I have been watching Big Tobacco ever since. Their approach to building their market is very basic. They have to lure children into the addiction. Kids that are not mature enough to say no pick up the addiction of smoking and end up carrying it to their graves, if they are not careful.

And so we have, over the years, put warnings on cigarette packages, raised the price beyond the reach of children, and done everything that we could.

Well, these Big Tobacco interests are not discouraged. They found a new product that is wildly popular among

young people that creates a similar addiction. It's called e-cigarettes or vaping. Ask any of your kids in high school, ask the teachers in the schools and the principals, what is going on with vaping in your schools today? You will find it's wildly popular, and kids are taking it up. And many of them switch from the vaping products to tobacco products and, ultimately, at the expense of their health.

That is what has happened. So we basically said to the Food and Drug Administration: You have a responsibility to regulate this. They can't put their products on the shelves without you taking a look at it.

Well, let me tell you the story of what has happened. These companies have flooded the market with addictive vaping devices, companies like JUUL, which is partially owned by the tobacco companies, and they promoted their products to children.

For years, none of these devices were legally authorized, and, yet, they have poisoned the developing brains and bodies of our kids. Who was supposed to be the cop on the beat? The Food and Drug Administration in Washington, but they were nowhere to be found. After years and years of the FDA failing to regulate e-cigarettes—listen to this—a Federal district court stepped in and mandated that the Food and Drug Administration fulfill its statutory public health duty.

On Friday, the Food and Drug Administration submitted an update on its Agency's long overdue review of e-cigarette applications.

Listen to this. In it, the Food and Drug Administration admitted it will not finish reviewing e-cigarettes until July 2023, nearly two years past the Court's deadline of last September. This is a stunning disclosure.

This means that JUUL and other e-cigarettes that kids get hooked on in the nicotine contained in the product and which have not received an authorization from the FDA may continue to be sold with impunity for more than a year. Imagine the thousands of students who will become addicted to these products while the FDA dawdles.

What is most incredible to me is that this outcome is not inevitable. In fact, if it wanted to, the Food and Drug Administration, before the end of business today, could remove these products by regulation from the shelves of America.

That is right: Addictive e-cigarettes like JUUL are only on store shelves because the FDA has given tobacco companies a free pass to sell their vaping products.

This is just wrong. This is exactly the opposite of the intent of the law. With this decision, the FDA is complicit in endangering the health of America's kids. That is a powerful statement, but I stand by it.

The law is very clear, no tobacco product is supposed to be on store shelves unless its manufacturer proves to the FDA, prior to marketing, that it is appropriate for public health.

How in the world could you prove that a vaping cigarette, e-cigarette, is in some way appropriate for the protection of public health? It is just the opposite, and we all know it.

So today I am beginning by calling on the FDA to immediately halt its enforcement discretion and remove all unauthorized e-cigarettes from the market. Don't allow JUUL and the other tobacco companies one more day of addicting our children. Stop cowering before Big Tobacco's highly paid lawyers.

We have seen too many years of delay by the FDA to the point where the Court had to order them to finally exercise their obligations under the law, and we have seen too many kids hooked on e-cigarettes. If the Food and Drug Administration needs more time to review applications, protect our kids, and clear the market of big tobacco's poison while you are doing it—nothing less than the health and well-being of our children is on the line.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AGRICULTURE

Mr. THUNE. Mr. President, farming and ranching are industries that are particularly subject to the whims of the weather. Just one storm can wipe out an entire herd or crop, sometimes in a matter of minutes.

Last Thursday, several storms struck eastern South Dakota and farmers were hit hard. Fortunately, it was too early in the season to wipe out any crops, but farmers lost essential equipment and resources, feed, grain bins, outbuildings, and more.

My office will be doing everything it can to make sure those affected get the assistance they need to recover, and I know many are already planning to rebuild. Whether it is a natural disaster or an ordinary day, farmers and ranchers are always at the top of my mind here in the Senate. Agriculture is the lifeblood of our South Dakota economy, and I am committed to doing everything I can to ensure that our farmers and ranchers have the resources they need to help feed our country.

I am fortunate enough to be a longtime member of the Senate Agriculture Committee, which gives me an important platform in which to address the needs of South Dakota ag producers. Right now, a big focus of mine is the 2023 farm bill.

I have already held the first of a series of roundtables to hear from South Dakota farmers and ranchers about what they need out of the 2023 farm bill. And I have introduced the first of what will be a number of proposals